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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,498	08/31/2000	Sharon K. Heidenreich	00,243	4793

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TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

[REDACTED] EXAMINER

MCCLELLAN, JAMES S

ART UNIT	PAPER NUMBER
3627	

DATE MAILED: 07/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/653,498	HEIDENREICH ET AL.
	Examiner	Art Unit
	James S McClellan	3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 June 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-24 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some *c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7 . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Amendment

1. Applicant's submittal of an amendment was entered on June 17, 2003, wherein:
 - claims 1-24 are pending and
 - claims 1, 6, 15, and 17 have been amended.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1-6, 10-13, and 15-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,057,677 (Bertagna et al.) in view of U.S. Patent No. 6,003,008 (Postrel et al.).

In regards to independent **claim 1**, Bertagna et al. discloses a system for controlling currency exchange and merchandise sales on an aircraft with a passenger load, which comprises: a service cart (36); a currency inventory (see column 3, lines 60-61; cash receipts) including at least two different currencies; an inventory of merchandise (see column 3, lines 60-61) stowed in the service cart; the service cart (36) being stowable on the aircraft and movable through the cabin thereof (see column 5, lines 24-28); a point-of-sale computer (28, PTMU) receiving currency and merchandise inventory data; said point-of-sale computer (28) being operable by a

flight attendant to record transactions with said merchandise and said currency; [claim 2] a processing computer (10; see column 3, lines 65-68) adapted to receive transactional data from said point-of-sale computer (28, see paragraph that bridges columns 5 and 6); [claim 3] a data card (16) adapted to receive inventory data from said processing computer (10) and transferring same to said point-of-sale computer (36); [claim 4] said data card (16) comprising a currency data card (16); and a merchandise data card (16; see column 4, lines 14-51) adapted to receive data pertaining to said merchandise inventory and transferring same to said point-of-sale computer (28); [claim 5] said point-of-sale computer (28) recording currency exchange (and merchandise sales transaction data on said currency and merchandise data cards respectively for transferring same (via disk drives 20, 22, 24 on CCU 18) to said processing computer (10);

In regards to independent claim 6, Bertagna et al. discloses a method of controlling currency exchange and merchandise sales on a passenger flight with a service cart located in the aircraft cabin, which comprises of steps of **a**) providing a security drawer in said service cart with a locked position securing same in said service cart and an unlocked position providing access thereto (see column 2, lines 61-63); **b**) providing an inventory of currency (see column 3, lines 60-61; cash receipts); **c**) providing an inventory of merchandise in said service cart (see column 3, lines 60-61); **d**) providing a point-of-sale computer (28, PTMU); **e**) loading said point-of-sale computer with data corresponding to said currency inventory and said merchandise inventory (see column 5, lines 48-51); [claim 10] **a**) recording currency exchange and merchandise sales transactions on said point-of-sale computer in-flight (see column 9, lines 32-37); **b**) inventorying said currency and merchandise inventories post-flight (see column 10, lines 23-27); **c**) reconciling the post-flight currency and merchandise inventories with the currency and

merchandise data on the point-of-sale computer (see paragraph bridging column 13-14); **d)** generating an end-of-flight report of currency and merchandise transactions during said flight (see paragraph bridging columns 13-14); [claim 12] **a)** maintaining foreign currency exchange information for multiple airline flights (see column 4, lines 18-22, “download data for that particular flight”); and **b)** programming said point-of-sale computer with foreign currency exchange information specific to a particular flight (see column 4, lines 31-34, “currency exchange rates”); [claim 13] **a)** maintaining multiple foreign currency exchange rages (see column 4, lines 31-34, “currency exchange rates”); **b)** programming said point-of-sale computer (28) with said foreign currency exchange rates (see column 7, lines 56-59); [claim 15] **a)** maintaining information specific to a cash bag (see column 3, lines 60-61; cash receipts) for a particular flight; **b)** transferring to said currency data card data pertaining to said cash bag for transfer to said point-of-sale computer (see sentence bridging columns 4-5); [claim 16] **a)** providing the flight crew with currency exchange information(see column 4, lines 52-64); **b)** the flight crew announcing to the passengers the currency exchange rage information (inherent when an exchange is conducted); [claim 17] reconciling the end-of-flight contents of cash bags with the processing computer (see column 14, lines 3-5); [claim 18] **a)** conducting a physical inventory of the currency and the merchandise in the cart (see column 13, lines 37-51); **b)** reconciling the physical inventory with currency exchange and merchandise sales transactions recorded by said point-of-sale computer (see column 13, lines 51-54); [claim 19] providing a flight summary report identifying currency, travelers check and credit card transactions (see column 13, lines 51-54); [claim 20] **a)** providing transaction detail report of currency exchange transactions (see column 13, lines 55-57); **b)** providing a transaction detail report of merchandise

sales transactions (see column 13, lines 55-57); [claim 21] said merchandise comprises duty-free merchandise (see column 2, line 6, “duty-free items”); [claim 22] providing an over and short report of overages and shortages with respect to said remaining currency and merchandise inventories (see column 5, lines 59-63); [claim 23] creating a transaction history file of said currency exchange and merchandise sales transactions (see column 13, lines 51-54); and [claim 24] creating an archive file from currency exchange and merchandise sales transactions (see column 13, lines 51-54).

Bertagna et al. disclose all elements set forth above but fails to expressly disclose a security drawer mounted in the service cart for storing currency.

Postrel et al. discloses a currency security drawer (30) removably mounted (see column 15, lines 10-15) and having locked an unlocked positions in a point-of-sale cart (see Figure 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bertagna et al. with a currency security drawer mounted in a cart as taught by Postrel et al., because a security drawer protects currency from theft.

In regards to **claim 11**, Bertagna et al. fails to expressly disclose maintaining currency exchange information for multiple airlines. Bertagna et al. states in column 2, lines 3-5, that the system is useful for “airlines”. The Examiner takes *Official Notice* that it would have been obvious to maintain foreign currency exchange information for multiple airlines. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bertagna et al. for use for multiple airlines as is well known in the art, because tracking information specific to multiple airlines will provide the service for a greater number of potential customers.

Claim Rejections - 35 USC § 103

4. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertagna et al. and Postrel et al. and further in view of U.S. Patent No. 5,367,452 (Gallery et al.).

Bertagna et al. in combination with Postrel et al. disclose all claimed elements except expressly disclosing that pre-flight currency and merchandise inventory are based on historical data.

Gallery et al. teaches the use of historical data of product sales, cashier settlement, and inventory control (see ABSTRACT).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bertagna's modified device the use of historical data as taught by Gallery et al. because the use of historical data provides a calculated way of determining the inventory necessary for a flight.

5. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bertagna et al. and Postrel et al. and further in view of U.S. Patent No. 5,873,069 (Ruehl et al.).

Bertagna et al. in combination with Postrel et al. disclose all claimed elements except expressly disclosing the use of employee discount information.

Ruehl et al. teaches the use of utilizing employee discount information (see 4, lines 16-17).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bertagna's modified device with the use of employee discount information as taught by Ruehl et al., because an employee discount provides a benefit for employees to perform their duties.

Response to Arguments

6. Applicant's arguments filed June 17, 2003 have been fully considered but they are not persuasive.

On page 9, second paragraph, Applicant acknowledges the date of an inventor's signature is missing from the declaration. Applicant will submit a supplemental declaration.

On page 9, final paragraph, Applicant notes that claims 15 and 17 have been amended to overcome the 35 U.S.C. § 112, 2nd paragraph rejection. Applicant's amendment is acknowledged and the 35 U.S.C. § 112 rejections are withdrawn.

On pages 10-11, Applicant argues the combination of Bertagna and Swartz et al. Applicant's argument is moot in view of the new grounds of rejection that was necessitated by Applicant's amendment to claims 1 and 6. The combination of Bertagna and Postrel et al. meet all the limitations of claims 1 and 6 as described above in detail.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jim McClellan whose telephone number is (703) 305-0212. The examiner can normally be reached on Monday-Friday from 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski, can be reached at (703) 308-5183.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

Commissioner of Patent and Trademarks
Washington D.C. 20231

or faxed to:

(703) 305-7687 (Official communications) or
(703) 746-3516 (Informal/Draft communications).

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

James S. McClellan
James S. McClellan
Patent Examiner
A.U. 3627

jsm
July 16, 2003